

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

CHASSIDY CALVERT,

Case No. 1:19-cv-173

Plaintiff,

Diott, J.

vs.

Bowman, M.J.

NATIONAL DEBT HOLDINGS, LLC., et al.,

Defendants.

REPORT AND RECOMMENDATION

Plaintiff filed the complaint in this case on March 4, 2019, more than 90 days ago. (Doc. 1). The record, however, contains no indication that Defendants waived service of process or that Plaintiff served Defendants with a summons or with a copy of the complaint. On October 23, 2019, the Court Ordered Plaintiff to show cause, in writing, within 20 days why the complaint should not be dismissed without prejudice for failure of service of process. (Doc. 4). To date, Plaintiff has not served Defendants with the summons and complaint nor has she responded to the pending Show Cause Order.

Plaintiff's failure to prosecute this matter and to obey an Order of the Court warrants dismissal of this case pursuant to Fed.R.Civ.P. 41(b). See *Jourdan v. Jabe*, 951 F.2d 108, 109–10 (6th Cir.1991). District courts have the power to *sua sponte* dismiss civil actions for want of prosecution to “manage their own affairs so as to achieve the orderly and expeditious disposition of cases.” *Link v. Wabash R.R.*, 370 U.S. 626, 630–31, 82 S.Ct. 1386, 8 L.Ed.2d 734 (1962). See also *Jourdan*, 951 F.2d at 109.

Accordingly, **IT IS RECOMMENDED THAT** Plaintiff's complaint be dismissed based upon Plaintiff's failure to comply with the Court's "show cause" order and failure of service of process.

s/ Stephanie K. Bowman
Stephanie K. Bowman
United States Magistrate Judge

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NOTICE

Pursuant to Fed. R. Civ. P. 72(b), any party may serve and file specific, written objections to this Report & Recommendation (“R&R”) within **FOURTEEN (14) DAYS** after being served with a copy thereof. That period may be extended further by the Court on timely motion by either side for an extension of time. All objections shall specify the portion(s) of the R&R objected to, and shall be accompanied by a memorandum of law in support of the objections. A party shall respond to an opponent’s objections within **FOURTEEN DAYS** after being served with a copy of those objections. Failure to make objections in accordance with this procedure may forfeit rights on appeal. *See Thomas v. Arn*, 474 U.S. 140 (1985); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).